

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

WP(C).No. 2646 of 2007(M)

PETITIONER:

MADHAVAN A.V., AGED 44 YEARS, S/O.A.M.PARAMESWARAN,
SOUPARNIKA, CHENGALAI P.O., KANNUR-670631.

BY ADV. SRI.BABU KARUKAPADATH
SMT.M.A.VAHEEDA BABU
SRI.JAGAN ABRAHAM M.GEORGE
SRI.P.A.ANEESHA

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF
GENERAL EDUCATION, GOVT.SECRETARIAT,
THIRUVANANTHAPURAM.
2. DIRECTOR OF PUBLIC INSTRUCTIONS,
OFFICE OF D.P.I., THIRUVANANTHAPURAM.
3. ADDITIONAL DIRECTOR OF PUBLIC INSTRUCTIONS,
OFFICE OF D.P.I., THIRUVANANTHAPURAM.
4. M.V. MOHANAN,
PRINCIPAL, DIET, ERNAKULAM, KURUPPAMPADY.
5. SUNNY K.M., PRINCIPAL, DIET, KOTTAYAM.
6. V. MOHANACHANDRAN,
PRINCIPAL DIET, ATTINGAL, THIRUVANANTHAPURAM.
7. KRISHNAKUMAR P.V., PRINCIPAL, DIET, KANNUR, PALAYAD P.O.
8. GOURI P.K., PRINCIPAL, DIET, IDUKKI, THODUPUZHA.
9. KESAVAN POTTY, PRINCIPAL, DIET, CHENGANNUR.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07/02/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO.2646 of 2007

Dated this the 7th day of February, 2007

JUDGMENT

The petitioner is working as Senior Lecturer in the Planning and Management department of DIET. The Director of Public Instructions has published the final seniority list of Principals, DIET as per order dated 25.11.2006. The petitioner has serious objections against the seniority list referred to above. He has filed Ext.P5 appeal before the first respondent requesting to consider his objections and to reassign the rank assigned to him and to place him above respondents 4 to 9. The petitioner submits that the select list prepared pursuant to Ext.P1 notification can have life for a maximum period of three years and that no valid appointment can be made from that list after the expiry of the period of three years.

2. Heard both sides. Ext.P5 appeal is one filed in terms of Rule 27B of KS & SSR. The first respondent has got a duty to

consider the same on merits and to take decision in accordance with law. Hence, the first respondent is directed to issue notice to the petitioner and respondents 4 to 9, afford them an opportunity of being heard and pass orders disposing of Ext.P5 appeal, as early as possible, in any event, within two months from the date of receipt of a copy of the judgment. Respondents 1 to 3 are directed not to operate the select list, if any, published pursuant to Ext.P1 notification, since the same has crossed the maximum time limit prescribed for its validity.

The petitioner shall produce a copy of the judgment and a copy of the writ petition before the first respondent for information and compliance.

K.K.DENESAN, JUDGE

CS

W.P.(C)No. 2646/2007

:3: